

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ELBERTA BERNICE LIEBERMAN, )  
Plaintiff, )  
v. ) C.A. No. 96-523-GMS  
THE STATE OF DELAWARE, )  
THE FAMILY COURT OF THE )  
STATE OF DELAWARE )  
Defendant. )

## **DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Defendant hereby moves this Court to enter summary judgment in its favor pursuant to Rule 56, on the substantive issues for the reasons set forth in its briefs.

STATE OF DELAWARE  
DEPARTMENT OF JUSTICE

/s/ Marc P. Niedzielski  
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DATED: June 15, 2005

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Plaintiff, )  
v. ) C.A. No. 96-523-GMS  
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THE FAMILY COURT OF THE )  
STATE OF DELAWARE )  
Defendant. )

## ORDER

**IT IS SO ORDERED** This \_\_\_\_ day of \_\_\_\_\_, 2005

that the defendant's motion for summary judgment is GRANTED and JUDGMENT is entered in its favor and against the plaintiff.

U.S.D.J.

**CERTIFICATE OF SERVICE**

I certify that on June 15, 2005, I served electronically a copy of attached document on the following:

Edward M. McNally, Esquire  
222 Delaware Avenue, 10<sup>th</sup> Floor  
P.O. Box 2306  
Wilmington, DE 19899

/s/ Marc P. Niedzielski  
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